



GAIL FARBER, Director

## COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

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ALHAMBRA, CALIFORNIA 91803-1331

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ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

April 14, 2015

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Supervisors:

# ADOPTED

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

33 April 14, 2015

  
PATRICK OZAWA  
ACTING EXECUTIVE OFFICER

**COUNTY LANDSCAPING MAINTENANCE DISTRICTS  
LANDSCAPING AND LIGHTING ACT  
DISTRICTS 1, 2, AND 4 AND ZONES THEREIN  
ANNUAL ASSESSMENT PROCEDURE - FISCAL YEAR 2015-16  
(SUPERVISORIAL DISTRICTS 1, 3, 4, AND 5)  
(3 VOTES)**

### SUBJECT

This action is to authorize the Director of Public Works or her designee, as the Engineer, to prepare and file the required annual Engineer's Report to renew the annual assessment for Landscaping and Lighting Act Districts 1, 2, and 4 and Zones therein pursuant to provisions of the California Streets and Highways Code.

### **IT IS RECOMMENDED THAT THE BOARD:**

1. Find that the action set forth in this Board letter is not a project pursuant to the California Environmental Quality Act.
2. Designate the Director of Public Works or her designee, as the Engineer, pursuant to California Streets and Highways Code, section 22523.
3. Adopt a Resolution Initiating Proceedings to levy annual assessments for landscape maintenance purposes for Landscaping and Lighting Act Districts 1, 2, and 4 and Zones therein pursuant to the Landscaping and Lighting Act of 1972, California Streets and Highways Code, section 22585, and as provided by Article XIII D of the California Constitution.

4. Instruct the Director of Public Works or her designee, as the Engineer, to prepare and file an annual Engineer's Report pursuant to the Landscaping and Lighting Act of 1972, California Streets and Highways Code sections 22565 and 22622 for the annual levying of assessments for Fiscal Year 2015-16 within Landscaping and Lighting Districts 1, 2, and 4 and Zones therein.

#### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of the recommended action is to adopt the enclosed Resolution Initiating Proceedings and for the Director to proceed with the preparation of the annual Engineer's Report for the levying of annual assessments for landscape maintenance purposes for all Zones within the Landscaping and Lighting Act (LLA) Districts 1, 2, and 4.

This action only initiates the assessment process and does not establish any assessment rates. In accordance with Proposition 13, assessments cannot be based on property values. Each LLA District and Zone therein is obligated to establish a benefit formula by which assessments are set according to the benefit received from the service or improvement. Under Proposition 218, which added Articles XIII C and XIII D to the California Constitution, the Board is required to give the affected property owners mailed notices and ballots regarding the proposed new or increased assessment and hold a public hearing to receive ballots in support of or opposition to the proposed new or increased assessment for tabulation.

On July 12, 1979; August 10, 1995; and July 22, 1997, the Board approved the formation of LLA Districts 1, 2, and 4 and Zones therein, respectively, pursuant to provisions of the LLA of 1972, Part 2 of Division 15 of the California Streets and Highways Code (commencing with section 22500). As the governing body, the Board of Supervisors is responsible for approving the levying of annual assessments for landscape purposes. The Board's adoption of the Resolution Initiating Proceedings initiates the annual assessment process for the renewal or increase of existing annual assessments and the establishment of new assessments for Fiscal Year (FY) 2015-16.

#### **Implementation of Strategic Plan Goals**

This action will further the County's Strategic Plan Goals of Operational Effectiveness/Fiscal Sustainability (Goal 1) by ensuring the continuation of services to maintain the landscaped areas and appurtenant improvements that benefit those who live within the LLA Districts and Zones. This action is consistent with Community Support and Responsiveness (Goal 2) by establishing assessments to provide the funding necessary for the operation and maintenance of the landscaping and appurtenant facilities that benefit the properties within the LLA Districts and Zones. In addition, this action is consistent with Integrated Services Delivery (Goal 3). Maintaining landscaping services provide for the delivery of a customer-oriented municipal service for the convenience of the benefiting public, which improves the quality of life in the County of Los Angeles.

#### **FISCAL IMPACT/FINANCING**

All services administered by Public Works and provided in the LLA Districts and Zones therein, are funded by the assessments established by the Board. The proposed assessments will generate approximately \$5.6 million in total revenue in LLA Districts 1, 2, and 4 and Zones therein for FY 2015-16.

There will be no fiscal impact to the General Fund, other than there may be assessments for parcels owned by the County of Los Angeles.

## **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The LLA of 1972 sets forth procedures that must be followed for any fiscal year during which assessments levied in a prior fiscal year are to be continued. The LLA of 1972, Government Code section 53753, and the California Constitution established procedures that must be followed for the levy of any new or increased assessments. The LLA of 1972 (specifically, California Streets and Highways Code section 22585) requires that the Board adopt a Resolution Initiating Proceedings and generally describe any proposed improvements or substantial changes in existing improvements. The Board must also order the Engineer to prepare and file an Engineer's Report in accordance with sections 22565 and 22622 of the California Streets and Highways Code.

In a couple of weeks, Public Works will submit for the Board's approval, the required Engineer's Report and Resolution of Intention, setting the public hearing dates to establish the assessments for FY 2015-16 pursuant to the LLA of 1972 and as provided by the California Constitution.

County Counsel has reviewed and approved this letter and the resolution as to form.

## **ENVIRONMENTAL DOCUMENTATION**

The recommended action to authorize the Director or her designee, as the Engineer, to prepare and file the required annual Engineer's Report to renew the annual landscape maintenance assessments is not a project pursuant to the California Environmental Quality Act (CEQA) because it is an activity that is excluded from the definition of a project by section 15378(b) of the State CEQA Guidelines. The proposed action is an administrative activity of government, which will not result in direct or indirect physical changes to the environment.

The proposed action includes no expansion of an existing use and will not involve the removal of healthy, mature trees. Additionally, the proposed action will not cause a substantial adverse change in the significance of a historic resource, is not in a sensitive environment, and there are no cumulative impacts, unusual circumstances, or other limiting factors that would make this action inapplicable based on the proposed project records.

## **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

Approval of this action will cause no impact on current services or programs.

**CONCLUSION**

Please return one adopted copy of this letter and a copy of the signed resolution to the Department of Public Works, Traffic and Lighting Division. Also, please forward one adopted copy of the letter and resolution to the Assessor, Ownership Services Section (Attention Sonia Carter Baltazar), and one to the Auditor-Controller, Tax Division (Attention Grace Kinoshita).

Respectfully submitted,

A handwritten signature in black ink that reads "Gail Farber". The script is cursive and fluid, with the first name "Gail" and last name "Farber" clearly legible.

GAIL FARBER

Director

GF:DRL:ss

Enclosures

c: Chief Executive Office (Rochelle Goff)  
County Counsel (Julia Weissman)  
Executive Office

**COUNTY OF LOS ANGELES BOARD OF SUPERVISORS  
RESOLUTION INITIATING PROCEEDINGS  
FOR THE ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR  
COUNTY LANDSCAPING AND LIGHTING ACT DISTRICTS 1, 2, AND 4  
AND ZONES THEREIN FOR THE 2015-16 FISCAL YEAR;  
AND ORDERING THE PREPARATION OF THE ANNUAL ENGINEER'S REPORT**

WHEREAS, on July 12 1979, August 10, 1995, and July 22, 1997, the Board of Supervisors of the County of Los Angeles approved the formation of Landscaping and Lighting Act (LLA) Districts 1, 2, and 4, respectively, for the purpose of providing funds for the operation of the LLA Districts and Zones therein within the County of Los Angeles pursuant to provisions of the Landscaping and Lighting Act of 1972 (the Act), section 22500 et. seq. of the California Streets and Highways Code; and

WHEREAS, within the LLA District 1 there are three (3) established, separate Zones; within the LLA District 2 there are seventeen (17) established, separate Zones; and within LLA District 4 there are thirteen (13) established, separate Zones, and each Zone consists of territory that receives substantially similar and proportional special benefits from the improvements provided in the Zone; and

WHEREAS, each of the three (3), seventeen (17), and thirteen (13) Zones within LLA Districts 1, 2, and 4, respectively, retain separate budgets, trust accounts, and unit numbers established by the County of Los Angeles Auditor-Controller; and

WHEREAS, the Board previously approved the formation of LLA Districts and Zones therein for the purpose of providing funds for landscape maintenance services located therein pursuant to the Act; and

WHEREAS, the Board hereby proposes to levy annual assessments for existing LLA Districts 1, 2, and 4 and Zones therein, and to levy and collect assessments against the lots and parcels of land within such LLA Districts and Zones therein to pay for the costs and expenses of the landscape improvements for the fiscal year commencing July 1, 2015, and ending June 30, 2016, pursuant to the Act; and

WHEREAS, the general location and boundaries of the LLA Districts 1, 2, and 4 and Zones therein are shown on maps on file in the office of the County of Los Angeles Department of Public Works and are incorporated herein by reference and open to public inspection; and

WHEREAS, provisions of the Act requires the Board to adopt a Resolution Initiating Proceedings, to generally describe any proposed improvements or substantial changes in existing improvements and to order the Engineer to prepare and file an Engineer's Report in accordance with the Act, specifically, California Streets and Highways Code sections 22565, 22585 and 22622, and Article XIII D of the California Constitution.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of Los Angeles:

Section 1. That the Board proposes to establish assessments for landscape maintenance purposes for Fiscal Year 2015-16 to be levied against properties in LLA Districts 1, 2, and 4 and Zones therein pursuant to the provisions of the Act.

Section 2. That the Board proposes to establish assessments for landscape maintenance purposes for Fiscal Year 2015-16 pursuant to the provisions of the Act, to be used for the maintenance, repair, replacement, and upgrades to planted and irrigated slopes, turf areas, parkway panels, medians, automated irrigation system components, and related appurtenances within LLA Districts 1, 2, and 4 and Zones therein, in compliance with the procedures set forth in the Act.

Section 3. That the Director of Public Works or her designee, as the Engineer, is hereby ordered to prepare and file the Engineer's Report in accordance with the Act, specifically, California Streets and Highways Code sections 22565 and 22622, and Article XIII D of the California Constitution.

The foregoing resolution was adopted on the 14th day of April 2015, by the Board of Supervisors of the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies, and authorities for which said Board so acts.



PATRICK OGAWA  
Acting Executive Officer of the  
Board of Supervisors of the  
County of Los Angeles

By Carla Little  
Deputy

APPROVED AS TO FORM:

MARK J. SALADINO  
County Counsel

By [Signature] FOR J. H.  
Deputy